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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91196942
Party	Defendant Critical Path Training, LLC
Correspondence Address	CRITICAL PATH TRAINING, LLC Ste 113-312 13820 Old St. Augustine Rd. Jacksonville, FL 32258  ted.pattison@criticalpathtraining.com
Submission	Answer
Filer's Name	James Matulis, Attorney
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Signature	/jm/
Date	11/23/2010
Attachments	Amended Answer to Notice of Opposition.pdf ( 2 pages )(36272 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CRITICAL PATH, INC.,  Opposer,  v.  CRITICAL PATH TRAINING, LLC,  Applicant.	In the Matter of Application Serial No: 77/859,527 Published in the <i>Official Gazette</i> On: April 20, 2010 Mark: <b>CRITICAL PATH TRAINING and Design</b>  Opposition No: <b>91196942</b>  <b>APPLICANT'S AMENDED* ANSWER TO NOTICE OF OPPOSITION</b>
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BOX TTAB FEE  
Assistant Commissioner for Trademarks  
PO Box 1451  
Alexandria, Virginia 22313-1451

**APPLICANT'S AMENDED\* ANSWER TO NOTICE OF OPPOSITION**

Applicant, Critical Path Training, LLC, (incorrectly designated in the Caption of Opposer's Notice of Opposition as "CRITICAL PATH TRAINING, LLC"), by and through its undersigned counsel, hereby responds to Opposer's Notice of Opposition (Notice), and states in response to the numbered paragraphs of the Notice as follows:

1. Denied as stated.
2. Without knowledge and therefore denied.
3. Without personal knowledge and therefore denied, however Applicant acknowledges that the publicly available records on the website of the USPTO appear to support this allegation.
4. Denied.
5. Without personal knowledge and therefore denied, however Applicant acknowledges that the publicly available records on the website of the USPTO appear to support this allegation.
6. Denied.

\*Amended only to add date of document and signature on certificate of service.

7. Admitted that if the subject application matures into a registration, Applicant would have certain presumptions as to the validity and ownership of the mark; otherwise denied.

### **AFFIRMATIVE DEFENSE**

For its First Affirmative Defense, Applicant denies the allegations of the Notice that are not specifically admitted.

WHEREFORE, Applicant prays that the Board enter a judgment in its favor denying the Opposition.

Dated this 23rd day of November, 2010.

By: /jm/  
James M. Matulis  
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Attorneys for Applicant

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Amended Answer to Notice of Objection has been served on Critical Path, Inc. by mailing said copy on November 23, 2010, via First Class Mail, postage prepaid to: Patrick H. Ballew, Ballew Law, P. O. Box 428, Yakima, WA 98907.

/jm/  
Attorney

\*Amended only to add date of document and signature on certificate of service.